FAX TRANSMISSION

DATE:

May 18, 2004

PTO IDENTIFIER:

Application Number 09/202,681

Patent Number

Inventor:

Eric J. MATHUR et al.

MESSAGE TO:

US Patent and Trademark Office

FAX NUMBER:

(703) 872-9306

FROM:

MORRISON & FOERSTER LLP

Gregory P. Einhorn

PHONE:

(858) 720-5133

Attorney Dkt. #:

564462001001

PAGES (Including Cover Sheet):

42

CONTENTS:

Transmittal Form – (1 page)

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Petition for Extension of Time (1 page)

Response and Amendment (19 pages)

Example 14 of USPTO Written Description Guidelines (3 pgs)

Rule 132 Declaration By Dr. Jay Short (unsigned) and resume (15 pgs)

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		•	U.S. Patent and Tradem	PTO/SB/21 (08-03 108-03-0851 OF COMMERCE (08-03-003) PTO/SB/21 (08-003-003) PTO/SSB/21 (08-003-003) PTO/		
Under the Paperwork	Reduction Act of 1995, no pers	ons are required to res	Application Number	ation unless it displays a valid QMB control number 09/202,681		
T	RANSMITT	AL	Filing Date	December 23, 1999		
	FORM		First Named Inventor	Eric J. MATHUR		
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tro no nac	an im au coireabhlineilea aitei	អ្នក ស្រាស្ត្រ	Examiner Name	R. G. Hutson		
Total Numbe	r of Pages in This Submiss	ion 41	Attorney Docket Numb	er 564462001001		
	EN	CLOSURES	Check all that app	ly)		
x Fee Transi	nittal Form – 1 pg.+1 cpy	Drawing(s)		After Allowance Communication to Group		
Fee	Attached	Licensing-rela	ated Papers	Appeal Communication to Board of Appeals and Interferences		
x Amendmer	nt/Reply → 19 pgs.	Petition		Appeal Communication to Group (Appeal Notice, Brief, Roply Brief)		
After	Final	Petition to Co Provisional A		Proprietary Information		
Affida	evits/declaration(s)	Power of Attor	ney, Revocation respondence Address	Status Letter		
x Extension	of Time Request – 1pg.	Terminal Disc	daimer	Other Enclosure(s) (please identify below):		
Express At	oandonment Request	Request for Refund		Example 14 of USPTO Written Description Guidelines 3 pgs; Rule		
Information	Disclosure Statement	CD, Number	of CD(s)	132 declaration by Dr. Jay Short and resume 15 pgs; Fax cover		
Certifled Co	opy of Priority s)	<u> </u>		sheet		
*	to Missing Parts/ Application	Remarks				
Resp	onse to Missing Parts r 37 CFR 1.52 or 1.53	CUSTOMER N	NUMBER 25225			
T DUIDA	r \$7 C/F/K 1.32 O/ 1.33					
	SIGNATI	RE OF APPLICA	NT. ATTORNEY, OR	AGENT		
Firm or Individual name	MORRISON & FOEF Gregory P. Einhorn -					
Signature			W. J			
Date	May 18, 2004					
Certificate of Tr	ansmission by Facsimile					
I hereby certify fax number 703 Date of Transm	14-9306.	Amour		O on the date indicated below to central		

PTO/SB/17 (10-03)
Approved for use through 7/31/2006. OMB 0851-0032

Under the Paperwork Reduction Act of 1995, no persons are requi	red to n	espond	to a coil	ection o	·····
FEE TRANSMITTAL		H1 #			Complete if Known
	·	Appli	cation	Numb	
for FY 2004	ı	Filing	Date		December 23, 1999
Effective 10/01/2003, Patent foos are subject to ennual revision.	l	First	Name	d Inver	ntor Eric J. MATHUR
	— <u> </u>	Exam	iner N	ame	R. G. Hutson
Applicant claims small entity status. See 37 CFR 1.27		Art U	nit		1652
TOTAL AMOUNT OF PAYMENT (\$) 210.00		Attor	ey Do	cket No	lo. 564462001001
METHOD OF PAYMENT (check all that apply)	<u></u>		+-	FEE	E CALCULATION (continued)
Check Crodit Money Order None X Deposit Account: Deposit Account Number Deposit Account Number Deposit Account Number Morrison & Foerster LLP Name		Entity Fee (\$) 130		Entity Fee	Foo Description
The Director is authorized to: (check all that apply)				20	sheet.
X Charge fee(s) indicated aclow X Credit any overpayments	1053	130	1053	130	Non-English specification
X Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2,520	For filling a request for ex parte reexamination
Charge (éé(s) indicated below, except for the filling fee	1804	920*	1804	920	Requesting publication of SIR prior to Examiner action
to the above-identified deposit account.	1805	1,940*	1805	1,840	Requesting publication of SIR after
FEE CALCULATION	1251	110	2251	55	Examiner action Extension for reply within first month
1. BASIC FILING FEE	1252	420	2252	210	**************************************
Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month
Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)	1254	1,480	2254	740	Extension for reply within fourth month
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month
1002 340 2002 170 Design filing foc	1401	330	2401		Notice of Appeal
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filling a brief in support of an appeal
1004 770 2004 385 Relssue filing fee	1403	290	2403	145	Request for oral hearing
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding
SUBTOTAL (1) (\$) 0.00	1452	110	2452	55	Petition to revive – unavoidable
	1453	1,330	2453	685	Petition to revive - unintentional
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from	1501	1,330	2501	665	Utility issue fee (or relsaue)
Claims helow Fee Paid	1502	480	2502	240	Design issue fee
Total Claims = x = x	1603	640	2503	320	Plant issue fee
CtaimsX	1460	130	1460	130	Petitions to the Commissioner
Multiple Dependent =	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
Large Entity Small Entity	1808	180	1806	180	Submission of Information Disclosure Strift
Fee Fee Fee Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1202 18 2202 9 Claims In excess of 20	1809	770	2809	385	Filing a submission after final rejection
1201 86 2201 43 Independent claims in excess of 3	4				(37 CFR 1.129(a)) For each additional invention to be
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	examined (37CFR 1.129(b))
1204 86 2204 43 ** Relssue independent daims over original patent	1801	770	2801		Request for Continued Examination (RCE)
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	3144	Request for expedited examination of a design application
and over original patent	Other fo	e (spec	ify)		
SUBTOTAL (2) (\$) 0.00 **or number previously paid, if greater; For Reissucs, see above	*Reduc	ed by E	asic Fil	ing Fcc	Paid SUBTOTAL (3) (\$) 210.00
SUBMITTED BY					(Complete (if epplicable))
		tion No		440	Telephone (858) 720-5133
Signature	Anorne	//Agent)			
Signature . Nulkou					Date May 18, 2004
Certificate of Transmission by Facsimile I hereby certify that this correspondence is being transmit fax number 703 872-9306. 5/18/04 Date of Transmission Jeanne Amour	ited by	facsin	nile to	the US	SPTO on the date indicated below to central
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Fee Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension 1	or reply with	nin fourth month	
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1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brie	of in support	of an appeal	
1004 770 2004 385 Reissue filing foo	1403	290	2403		•			ļ
1005 160 2005 80 Provisional filing foc	1451	1,510	1451	•		•	ublic use proceeding	<u> </u>
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2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from	1502	480	2502	•	Design issu	·	~~,	
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Total Claims -** = X F	1460	130	1460		Petitions to		ssioner	
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Code (\$) Code (\$)	8021	40	OUZT	40	•		r of properties) or final rejection	}
1202 18 2202 9 Claims in excess of 20	1809	770	2809	385	(37 ÇFR 1.1	1 29(\$))		
1201 85 2201 43 Independent daims in excess of 3 1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each ac examined ()	dditional inv 3705K 1.12	ention to be 28(b))	
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Name (Brighton) Crosson, B. Eighorn		ation No		440		Telephon	e (858) 720-5133	
	(Attorne	y/Agent)						
Signature 1. Wilkon						Date	May 18, 2004	
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION	FOR EXTENSION O	F TIME UNDER		Docket	No. (Optional) 564462001001
		In re Application	on of Eric J. M.	ATHUR et al.	
		Application Nu	mber 09/202,681	File	ed December 23, 1999
		For: THER	MOSTABLE PHOS	PHATASES	
		Art Unit	1652	Examiner	R. G. Hutson
This is a req	vest under the provisio plication.	ns of 37 CFR 1.134	6(a) to extend the p	beriod for fillin	g a reply in the above
The requeste	ed extension and appro	priate non-small-e	ntity fee are as follo	ows (check ti	me period desired):
	One month (37 CFR 1.	17(a)(1))			\$
X	Two months (37 CFR 1	1.17(a){2)}			\$ 420.00
 	Three months (37 CFR				\$
	Four months (37 CFR				\$
	Five months (37 CFR 1	• • • • •			<u> </u>
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I am the	applicant/invento			. ~ ~ .	
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	attorney or agen	•	o) is enclosed, (re	orm PTQ/SB/	96}.
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